

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

<b>Caron Nazario</b>	)	
	)	
	)	
v.	)	Civil Action No. 2:21-cv-00169
	)	
<b>Joe Gutierrez, et. al.</b>	)	
	)	
	)	

**PLAINTIFF CARON NAZARIO  
MOTION TO QUASH NOTICE OF DEPOSITION FOR TREATING PHYSICIAN DR.  
SELLMAN, SUBPOENA TO DR. SELLMAN AND  
MOTION FOR A PROTECTIVE ORDER**

COMES NOW the Plaintiff, Caron Nazario, by counsel, and pursuant to Rule 26(c) and for the reasons articulated in the accompanying memorandum in support of this motion moves this honorable court to quash the 12/14/2021 notice of deposition dated of and subpoena to treating physician Dr. Sellman for 12/22/2021 and motion to enter a protective order and for any further relief as this Court deems warranted. Additionally, plaintiff moves for an order directing defendant Crocker to pay the Fed. R. Civ. P. 26(b)(4)(C) fees time spent by plaintiff's experts responding to discovery.

Plaintiff's counsel hereby certifies that Plaintiff's counsel has conferred and attempted to confer with Defendant Crocker's counsel in an effort to resolve this dispute without court action.

**DECEMBER 15, 2021.**

**Respectfully submitted,**

By: /s/ Thomas H. Roberts, Esq.  
Counsel

Jonathan M. Arthur, Esq. VSB # 86323  
j.arthur@robertslaw.org  
Thomas H. Roberts, Esq. VSB # 26014  
tom.roberts@robertslaw.org  
Andrew T. Bodoh, Esq. VSB # 80143  
andrew.bodoh@robertslaw.org

Thomas H. Roberts & Associates, P.C.  
105 South 1st Street  
Richmond, VA 23219  
(804) 783-2002 (Direct)  
(804) 783-2000 (Firm)  
(804) 783-2105 (Fax)  
*Counsel for Plaintiff*

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing was filed with the Court's CM/ECF system, which caused a Notice of Electronic Filing to be emailed to the following:

John B. Mumford, Jr. (VSB No. 38764)  
Coreen A. Silverman (VSB No. 43873)  
HANCOCK DANIEL & JOHNSON, P.C.  
4701 Cox Road, Suite 400  
Glen Allen, Virginia 23060  
Tel: (804) 967-9604  
Fax: (804) 967-9888  
jmumford@hancockdaniel.com  
csilverman@hancockdaniel.com  
*Counsel for Defendant Joe Gutierrez*

Robert L. Samuel, Jr. (VSB No. 18605)  
Richard H. Matthews (VSB No. 16318)  
Anne C. Lahren (VSB No. 73125)  
Bryan S. Peeples (VSB No. 93709)  
PENDER & COWARD  
222 Central Park Avenue, Suite 400  
Virginia Beach, Virginia 23462  
Tel: (757) 490-6293  
Fax: (757) 502-7370  
rsamuel@pendercoward.com  
rmatthew@pendercoward.com  
alahren@pendercoward.com  
bpeeples@pendercoward.com  
*Counsel for Defendant Daniel Crocker*

This the 15<sup>th</sup> day of December, 2021

By: /s/ Thomas H. Roberts, Esq.  
Counsel

Jonathan M. Arthur, Esq. VSB # 86323  
j.arthur@robertslaw.org  
Thomas H. Roberts, Esq. VSB # 26014  
tom.roberts@robertslaw.org  
Andrew T. Bodoh, Esq. VSB # 80143  
andrew.bodoh@robertslaw.org  
Thomas H. Roberts & Associates, P.C.  
105 South 1st Street  
Richmond, VA 23219  
(804) 783-2002 (Direct)  
(804) 783-2000 (Firm)  
(804) 783-2105 (Fax)  
*Counsel for Plaintiff*